

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

<p>In re:</p> <p>Pro Mark Services, Inc.,</p> <p>Debtor.</p> <hr/>	<p>Case No. 24-30167</p> <p>Chapter 11</p>
<p>Capital Credit Union,</p> <p>Plaintiff,</p> <p>v.</p> <p>Pro-Mark Services, Inc.; Erik Ahlgren, as Trustee for Debtor's Estate; United States Air Force; and Hartford Accident and Indemnity Company,</p> <p>Defendants.</p>	<p>Adversary No.: 25-07001</p>

**JOINT MOTION TO AMEND THE AMENDED SCHEDULING AND DISCOVERY  
ORDER**

---

Defendant Hartford Accident and Indemnity Company ("Hartford"), through its undersigned counsel, The Hustead Law Firm, *A Professional Corporation*, hereby submits this Joint Motion to Amend the Amended Scheduling and Discovery Order ("Motion") and states as follows:

On December 1, 2025, this Court entered the Amended Scheduling and Discovery Order, modifying the dispositive motion deadline (summary judgment as to all or part of the case) to January 16, 2026. [Doc. 42]. Pursuant to Federal Rule of Bankruptcy Procedure Rule 7016, "Fed.

R. Civ. P. 16 applies in adversary proceedings.” Fed. R. Civ. P. Rule 16(b)(4) states that “[a] schedule may be modified only for good cause and with the judge’s consent.

Prior to the Amended Scheduling Order being entered, on November 24, 2025, this Court held a status conference in this matter to discuss the state of the case and the next steps moving forward. All parties agreed that a trial would likely not be necessary, as all issues likely can be resolved at the Summary Judgment stage. Further, the parties informed the Court that the parties were working together to create stipulated facts to assist in dispositive motions practice.

The parties are hereby requesting that the Amended Scheduling Order and Discovery Order be amended again and that the dispositive motion deadline be extended up to and including February 13, 2026. Good cause exists pursuant to Fed. R. Civ. P. Rule 16(b)(4) because the parties are diligently and collaboratively working together to finalize the proposed stipulated facts to assist in drafting dispositive motions. The parties are reviewing approximately 187 proposed stipulated facts and supporting documents. The parties request this extension in order to continue working on the proposed stipulated facts and incorporate them in the parties’ respective Motions for Summary Judgment.

No other deadlines will be impacted, as trial is no longer scheduled in this matter, and all parties to this matter have agreed on the dispositive motion extension.

WHEREFORE Hartford Accident and Indemnity Company respectfully requests that this Court enter an Order granting this Motion and extending the deadline for all parties to file their dispositive motions up to and including February 13, 2026, and for such further relief that this Court deems just and proper.

Dated this 15th day of January, 2026.

s/ Connor L. Cantrell

Patrick Q. Hustead, Esq.

Connor L. Cantrell, Esq.

**THE HUSTEAD LAW FIRM,**

A Professional Corporation

4643 S. Ulster Street, Suite 1250

Denver, CO 80237

*Attorneys for Hartford Accident and  
Indemnity Company*

NICHOLAS W. CHASE

United States Attorney

BY: /s/ Melissa Helen Burkland

MELISSA HELEN BURKLAND

Assistant United States Attorney

WI Bar ID 1071443

655 First Avenue North, Suite 250

Fargo, ND 58102-4932

(701) 297-7400

[melissa.burkland@usdoj.gov](mailto:melissa.burkland@usdoj.gov)

Attorney for United States

**VOGEL LAW FIRM**

BY: s/ Drew J. Hushka

Caren W. Stanley (#06100)

cstanley@vogellaw.com

Drew J. Hushka (#08230)

dhushka@vogellaw.com

218 NP Avenue

PO Box 1389

Fargo, ND 58107-1389

701.237.6983

ATTORNEYS FOR CAPITAL CREDIT  
UNION

/s/ Erik Ahlgren

Erik Ahlgren, Chapter Trustee

Ahlgren Law Office, PLLC

220 W Washington Ave. Ste 105

Fergus Falls MN 56537

218-998-2775

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of January, 2026 a true and correct copy of the foregoing **Joint Motion to Amend the Amended Scheduling and Discovery Order** was electronically filed with the Court & served to the following:

Caren Stanley  
Drew Hushka  
Kesha L. Tanabe  
Vogel Law Firm  
218 NP Avenue  
P.O. Box 1389  
Fargo, ND 58102  
Phone: (701) 237-6983  
Direct: (701) 356-6307  
[cstanley@vogellaw.com](mailto:cstanley@vogellaw.com)  
[dhushka@vogellaw.com](mailto:dhushka@vogellaw.com)  
[ktanabe@vogellaw.com](mailto:ktanabe@vogellaw.com)

Erik A. Ahlgren, Trustee  
220 W Washington Ave Ste 105  
Fergus Falls MN 56537  
[erik@ahlgrenlawoffice.net](mailto:erik@ahlgrenlawoffice.net)

*Counsel for CCU*  
Melissa Helen Burkland  
Assistant United States Attorney  
WI Bar ID 1071443  
655 First Avenue North, Suite 250  
Fargo, ND 58102-4932  
(701) 297-7400  
[melissa.burkland@usdoj.gov](mailto:melissa.burkland@usdoj.gov)

*Original Signature is on File at The Husted  
Law Firm, A Professional Corporation*

s/ Connor L. Cantrell  
Connor L. Cantrell